



**PATENT**  
Attorney Docket No. 223592  
Client Reference No. GN 02090 Oconnanosens-1

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

Andriessen, Hieronymus

Art Unit: 1775

Application No. 10/628,618

Examiner: Ling X. Xu

Filed: July 28, 2003

For: NANO-POROUS METAL OXIDE  
SEMICONDUCTOR SPECTRALLY  
SENSITIZED WITH METAL  
CHALCOGENIDE NANO-PARTICLES

**TERMINAL DISCLAIMER UNDER 37 CFR 1.321**

Assignee, AGFA-Gevaert, is the owner of 100 percent interest in the above-identified application (hereinafter "the present application").

Pursuant to 37 CFR 3.73(b), the assignment of the present application from the inventors, or chain of title from the inventors, to the Assignee was recorded in the Patent and Trademark Office at Reel 013917, Frame 0897, on August 26, 2003.

Also, pursuant to 37 CFR 3.73(b), the undersigned has reviewed all the evidentiary documents accompanying or referred to in this Terminal Disclaimer and, to the best of the undersigned's knowledge and belief, certifies that title is in the Assignee.

Assignee, through its attorneys and agents, hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the present application that would extend beyond the expiration date of the full statutory term defined in 35 USC 154 to 156 and 173 of any U.S. patent granted on pending Application No. 10/629,242, filed on July 30, 2003 or pending Application No. 10/630,492, filed on July 30, 2003, (hereinafter "the second patents"), as shortened by any terminal disclaimer filed prior to the grant of either second patent. Assignee, through its attorneys and agents, further agrees that any patent granted on the present application shall be enforceable only for and during such period that its legal title is the same as the legal title to the second patents, this agreement to run with any patent granted on the present application and to be binding upon the grantee, its successors, and assigns.

In making the above disclaimer, Assignee does not disclaim the terminal part of any patent granted on the present application that would extend to the expiration date of the full

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statutory term of either second patent as defined in 35 USC 154 to 156 and 173 in the event either second patent terminates prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer filed prior to the grant of the patent. Examples of such non-applicable termination of or patent granted on either second patents are as follows: (1) a second patent expires for failure to pay a maintenance fee, (2) a second patent is held unenforceable, (3) a second patent is found invalid by a court of competent jurisdiction, (4) a second patent is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, (5) a second patent has all claims canceled by a reexamination certificate or reissuance, and (6) a second patent is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

In making this disclaimer, Assignee reserves the right to extend the term of any patent granted on the present application for a period of delay, in the event the delay is defined by statute and/or regulation as allowing, or providing for, an extension of term. This right is reserved in the event either one or both second patent(s) terminate(s), or do(es) not terminate(s), prior to the expiration of its full statutory term. Examples of such a delay include regulatory delay, and delay due to appellate review.

The undersigned is empowered to act on behalf of the Assignee.

The Commissioner is hereby authorized to charge to Deposit Account 12-1216 the fee of \$110.00 set forth in 37 CFR 1.20(d). A duplicate copy of this document is enclosed herewith for that purpose.

Respectfully submitted,



Christopher T. Griffith, Registration No. 33,392  
LEYDIG, VOIT & MAYER, LTD.  
Two Prudential Plaza, Suite 4900  
180 North Stetson Avenue  
Chicago, Illinois 60601-6780  
(312) 616-5600 (telephone)  
(312) 616-5700 (facsimile)

Date: September 16, 2004

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CERTIFICATE OF MAILING

I hereby certify that this TERMINAL DISCLAIMER (along with any documents referred to as attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date: 9/16/04

Elizabeth Hernandez

Terminal Disclaimer Copending Application (Revised 2/13/04)